

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
S/S Parsonage Road, SWC of Parsonage Oak Court  
1801 Parsonage Road  
6th Election District  
3rd Councilmanic District  
Mark M. Dunn, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-501-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 47.5 ft., in lieu of the required 50 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information,

photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of July, 1992 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 47.5 ft., in lieu of the required 50 ft. in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk and that the time for the filing of an appeal from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 7/29/92  
By J. H. Smith

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 29, 1992

Mr. and Mrs. Mark M. Dunn  
607 McHenry Road  
Baltimore, Maryland 21208

RE: Petition for Residential Zoning Variance  
Case No. 92-501A  
Mark M. Dunn and Darlene M. Dunn, Petitioners

Dear Mr. and Mrs. Dunn:

Enclosed please find the decision rendered in the above captioned case. The Baltimore County Zoning Regulations have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmn  
encl.  
cc: Mr. Mike Barranger, Spellman and Larson

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-501-A

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1A04.3.B.3 to allow a front yard setback of 47.5 feet in lieu of the required 50 feet

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hereby or present affidavit)

An as built location survey of foundation revealed slight encroachment into required setback.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

NA

(Type or print name)

NA

(Signature)

NA

(Type or print name)

NA

(Signature)

NA

(Type or print name)

NA

(Signature)

NA

(Type or print name)

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NA

(Signature)

NA

AFFIDAVIT  
IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) believe that the information herein is true and correct to the best of his/her/their knowledge and belief.

1801 PARSONAGE RD  
RAYVILLE MD 21120

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hereby or present affidavit)

An as built location survey of foundation revealed slight encroachment into required setback.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

That the Affiant(s) do(es) believe that the information herein is true and correct to the best of his/her/their knowledge and belief.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 23 day of JUNE, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK & DARLENE DUNN

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96



SPELLMAN, LARSON  
& ASSOCIATES, INC.

SUITE 109 - JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
TEL 823-3535  
FAX 825-5215

92-501-A

DESCRIPTION FOR A VARIANCE TO ZONING, 1801 PARSONAGE ROAD,  
6TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the southeast side of Parsonage Road at the fillet connecting the southeast side of Parsonage Road with the southwest side of Parsonage Oak Court and running thence and binding on said fillet south 65 Degrees 37 Minutes 00 Seconds east 21.87 feet to the southwest side of Parsonage Oak Court and running thence and binding on the southwest side of Parsonage Oak Court southeasterly by curve to the left with the radius of 295.0 feet the distance of 83.26 feet, south 40 Degrees 04 Minutes 00 Seconds east 55.04 feet and southeasterly by curve to the right with the radius of 330.0 feet the distance of 154.74 feet thence leaving the southwest side of Parsonage Oak Court and running north 89 Degrees 07 Minutes 43 Seconds west 450.17 feet to the southeast side of Parsonage Road herein referred to and running thence and binding on the southwest

ROBERT E. SPELLMAN, P.L.S.  
JOSEPH L. LARSON  
ERIC D. FRANK  
JO ANN W. ROGGE



SPELLMAN, LARSON  
& ASSOCIATES, INC.

SUITE 109 - JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
TEL 823-3535  
FAX 825-5215

92-501-A

DESCRIPTION FOR A VARIANCE TO ZONING, 1801 PARSONAGE ROAD,  
6TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Page: 2

side of Parsonage Road north 35 Degrees 10 Minutes 37 Seconds east 97.98 feet and northeasterly by curve to the right with a radius of 470.0 feet the distance of 287.99 feet to the place of beginning.

Containing 1.602 acres of land, more or less

Being Lot No 11 as shown on a Plat of Oaks of Parsonage said Plat being recorded among the Plat Records of Baltimore County in Plat Book 8M No 59, Folio 36.

06/15/92



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING  
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING  
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

534

534

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

92-501-A

District: 6th  
Posted for: Residential Variance  
Petitioner: Mark M. and Darlene M. Dunn  
Location of property: 1801 Parsonage Road, SWC Parsonage Oak Court  
Location of Sign: S.W. Corner of Parsonage Road and Parsonage Oak Court  
Remarks: S.J. Smith  
Posted by: S.J. Smith  
Number of Signs: 1  
Date of Posting: July 17, 1992  
Date of return: July 17, 1992



Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date: 6/24/92  
Account: R-001-6180  
Number: 17204534  
PUBLIC HEARING FEES  
010 - ZONING VARIANCE (FEE) 1 X \$50.00  
080 - POSTING SIGNS / ADVERTISING 1 X \$35.00  
LAST NAME OF OWNER: DUNN TOTAL: \$85.00  
Please Make Check payable to Baltimore County \$85.00  
BA 000128P04-24-92

Mr. & Mrs. Mark M. Dunn  
607 McHenry Road  
Baltimore, MD 21208

RE: Item No. 534, Case No. 92-501-A  
Petitioner: Mark M. Dunn, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. Dunn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this  
24th day of June, 1992

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:

*W. Carl Richards Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Mark M. Dunn, et ux

Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)  
Development Review Committee Response Form  
Authorized signature *Thomas W. Kennedy* Date 7/13/92

Project Name: Stonegate at Patapsco (Aerial Property)  
File Number: 90476  
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1  
Baltimore County - Southwestern Bell Mobile Systems  
DED STP 533 6-29-92

COUNT 1  
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 NC  
DED DEPRM RP STP TE  
✓ Mark M. Dunn And Darlene Dunn 534 NC  
DED DEPRM RP STP TE  
✓ Philip E. English And Deborah B. English 535 NC  
DED DEPRM RP STP TE  
✓ Clark F. And Ann S. MacKenzie 536 NC  
DED DEPRM RP STP TE  
✓ Charles J. And E. Mae Sinay 537 NC  
DED DEPRM RP STP TE  
✓ Amoco Oil Company 538 NC  
DED DEPRM RP STP TE  
✓ John And Judy Hasler 539 NC  
DED DEPRM RP STP TE  
✓ Paul J. And Marlene A. Leono 540 NC  
DED DEPRM RP STP TE  
✓ W. Claymore And Carol H. Sieck 541 NC  
DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND  
OFFICE OF PLANNING AND ZONING  
New Courts Building  
401 Bosley Avenue  
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section  
Office of Planning and Zoning

DATE: July 7, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - July 6, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Mark M. Dunn - Item 534  
Clark F. MacKenzie - Item 536  
John Hasler - Item 539  
W. Claymore Sieck - Item 541

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

7.06.92.txt  
Petitns.txt

RECEIVED  
JUL 14 1992  
ZONING OFFICE

DPW/Traffic Engineering  
Development Review Committee Response Form  
Authorized signature *Frank J. Fank* Date 7/10/92

Project Name: Stonegate at Patapsco (Aerial Property)  
File Number: 90476  
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1  
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C 7-6-92  
DED DEPRM RP STP TE  
✓ Mark M. Dunn And Darlene Dunn 534 N/C  
DED DEPRM RP STP TE  
✓ Philip E. English And Deborah B. English 535 N/C  
DED DEPRM RP STP TE  
✓ Clark F. And Ann S. MacKenzie 536 N/C  
DED DEPRM RP STP TE  
✓ Charles J. And E. Mae Sinay 537 N/C  
DED DEPRM RP STP TE  
✓ Amoco Oil Company 538 N/C  
DED DEPRM RP STP TE  
✓ John And Judy Hasler 539 N/C  
DED DEPRM RP STP TE  
✓ Paul J. And Marlene A. Leono 540 N/C  
DED DEPRM RP STP TE  
✓ W. Claymore And Carol H. Sieck 541 W/C  
DED DEPRM RP STP TE

COUNT 9  
FINAL TOTALS  
COUNT 10

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature *Thomas W. Kennedy* Date 7-13-92

Project Name: Stonegate at Patapsco (Aerial Property)  
File Number: 90476  
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1  
Joan R. McMahon 528 6-22-92 in process  
DEPRM  
BBC Associates 511 written comments  
DEPRM  
Frederick J. And Michelle Y. Burgesen 517 in process  
DEPRM

COUNT 3  
Charles M. and Virginia H. Loane 524 6-29-92 in process  
DEPRM  
Francis D. and Patricia M. Mull 526 in process  
DEPRM  
RMS Nominee, Inc. 527 in process  
DEPRM  
Juanita L. Cottrell 529 in process  
DEPRM  
The Middle River Baptist Church 530 in process  
DEPRM

COUNT 5  
Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 in process  
DED DEPRM RP STP TE  
✓ Mark M. Dunn And Darlene Dunn 534 No comments  
DED DEPRM RP STP TE  
Philip E. English And Deborah B. English 535 in process  
DED DEPRM RP STP TE

Baltimore County Government  
Fire Department  
700 East Joppa Road Suite 901  
Towson, MD 21204-5500  
JULY 13, 1992 (410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: MARK M. DUNN AND DARLENE M. DUNN  
Location: #1801 PARSONAGE ROAD  
Item No.: #534 (LJG) Zoning Agenda: JULY 6, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John J. Duff* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

RECEIVED  
JUL 14 1992  
ZONING OFFICE

Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature *Thomas W. Kennedy* Date 7/14/92

Project Name: Stonegate at Patapsco (Aerial Property)  
File Number: 90476  
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1  
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 No Comments  
DED DEPRM RP STP TE  
✓ Mark M. Dunn And Darlene Dunn 534 No Comments  
DED DEPRM RP STP TE  
✓ Philip E. English And Deborah B. English 535 No Comments  
DED DEPRM RP STP TE  
✓ Clark F. And Ann S. MacKenzie 536 No Comments  
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DED DEPRM RP STP TE  
✓ John And Judy Hasler 539 No Comments  
DED DEPRM RP STP TE  
✓ Paul J. And Marlene A. Leono 540 No Comments  
DED DEPRM RP STP TE  
✓ W. Claymore And Carol H. Sieck 541 No Comments  
DED DEPRM RP STP TE

COUNT 9  
FINAL TOTALS  
COUNT 9  
\*\*\* END OF REPORT \*\*\*





111 West Chesapeake Avenue  
Towson, MD 21204

July 1, 1992

(410) 887-3353

Mark and Darlene Dunn  
607 McHenry Road  
Baltimore, Maryland 21208

Re: CASE NUMBER: 92-501-A  
LOCATION: S/S Parsonage Road, SAC Parsonage Oak Court  
1801 Parsonage Road  
6th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a referee regarding the administrative process.

1) Your property will be posted on or before July 12, 1992. The closing date is July 27, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

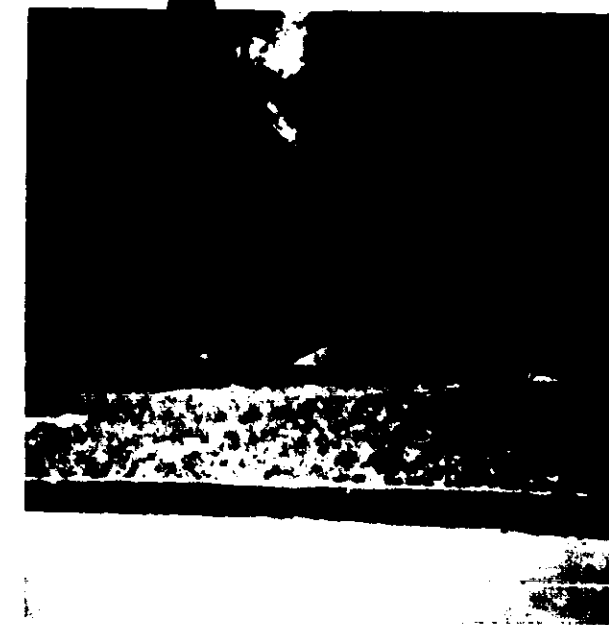
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

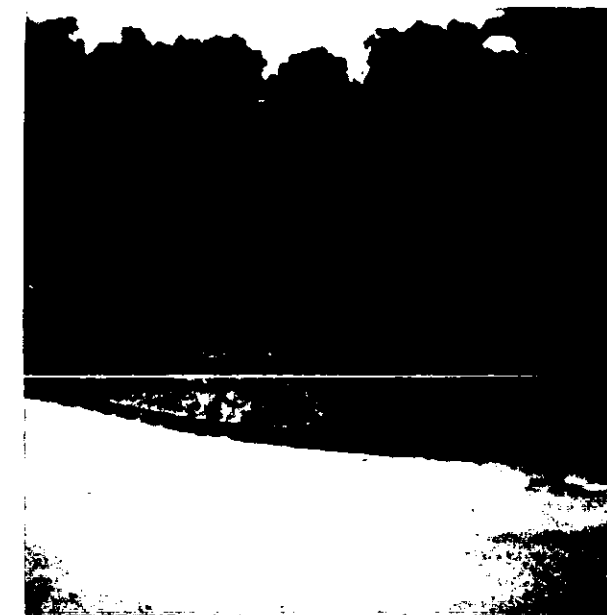
*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner, Baltimore County



A



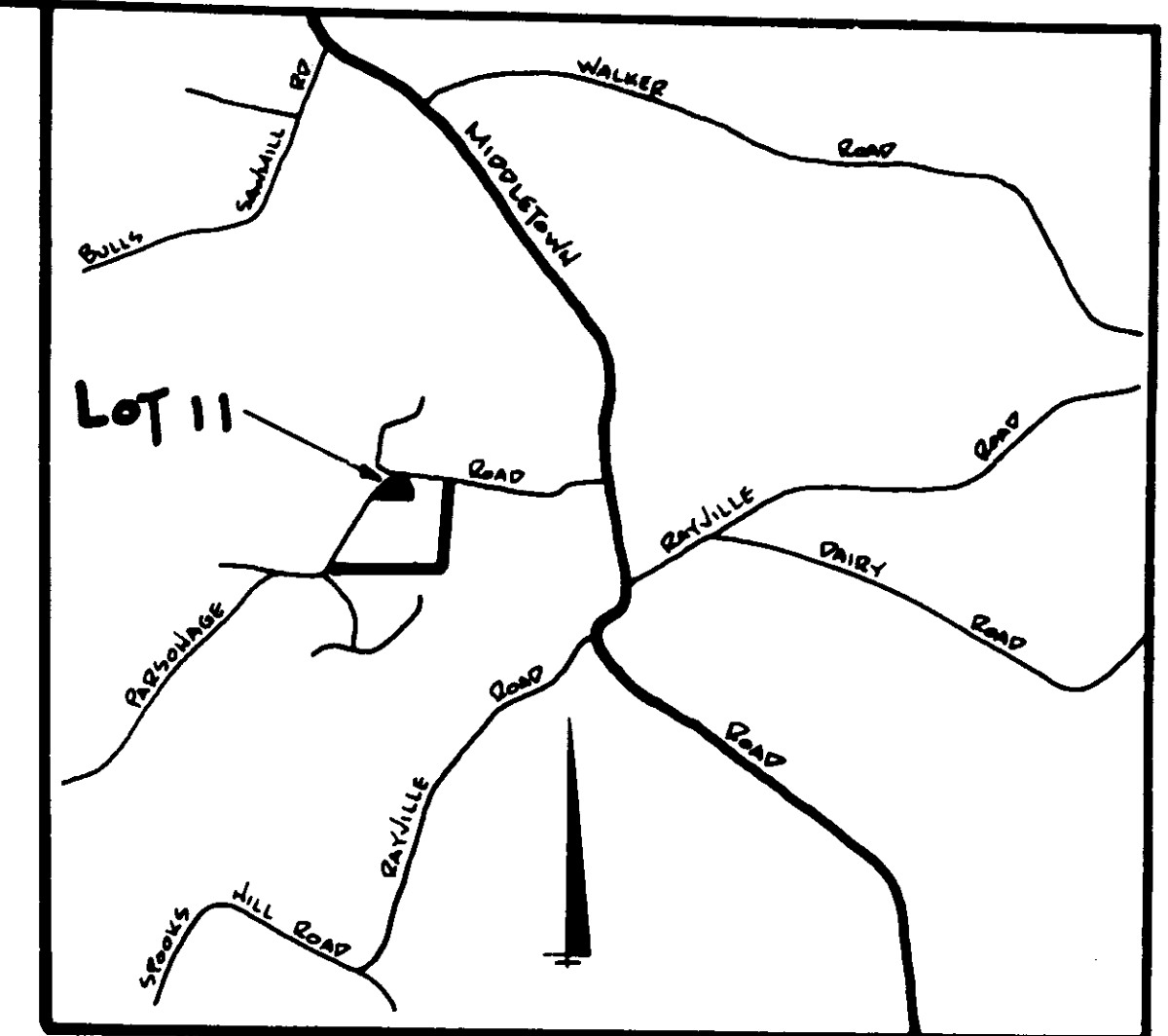
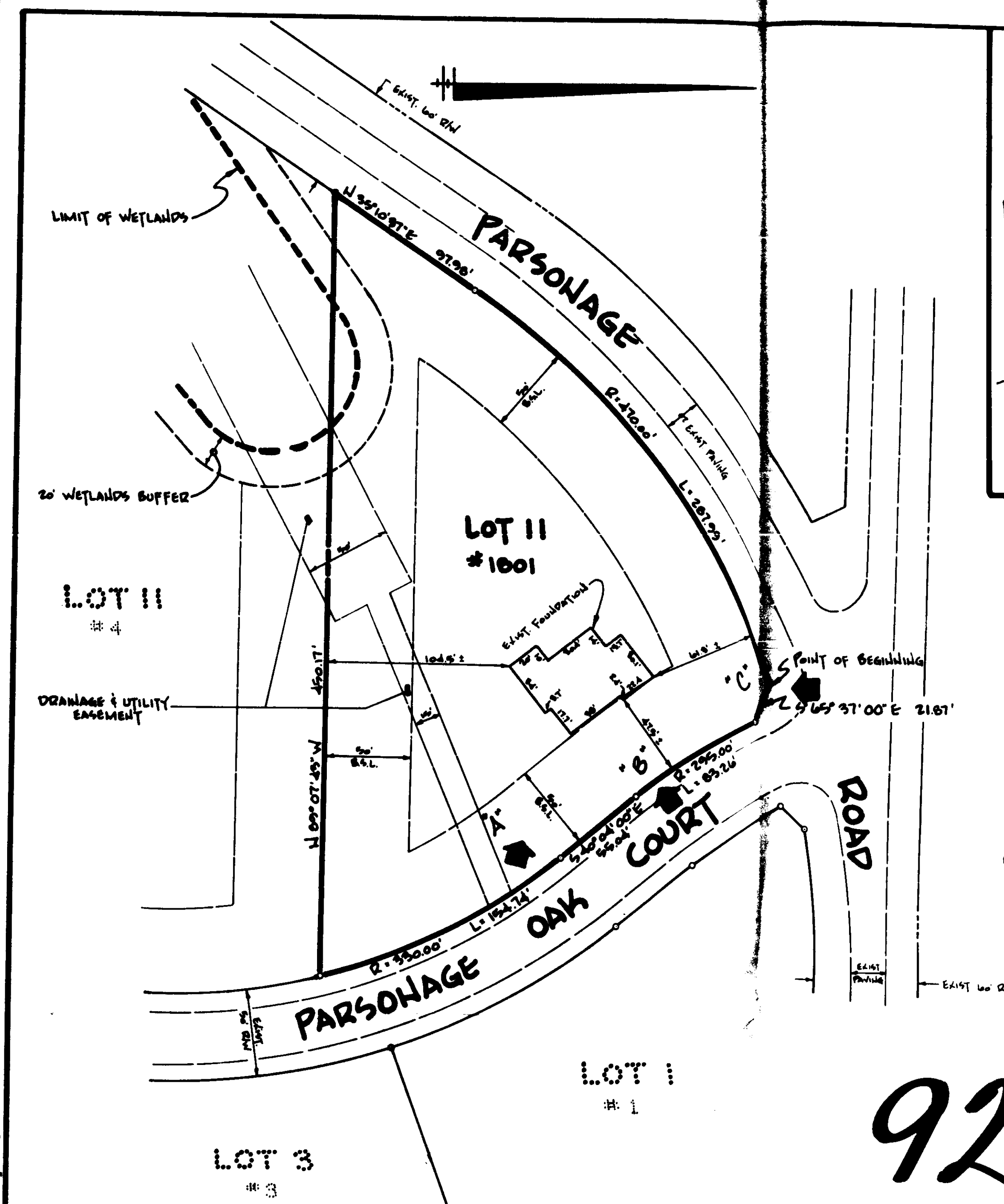
B



C

92-501-A

534



LOCATION MAP  
SCALE: 1"=2,000'

SITE DATA:

1. COUNCILMANIC DISTRICT: 3
2. ZONING: R.C. 9
3. LOT SIZE: 1.102 AC.
4. SUBDIVISION: OAKS OF PARSONAGE
5. TAX ACCOUNT NO: 2100006995
6. WATER & SEWER: PRIVATE WELL & SEPTIC SYSTEM
7. THIS PROPERTY HAS NOT BEEN THE SUBJECT OF ANY PRIOR ZONING HEARINGS
8. ZONING MAP: 11/1/88

92-501-A

ZONING VARIANCE

THE REASON FOR THIS VARIANCE IS TO ALLOW A FRONT-YARD SETBACK OF 47' IN LIEU OF THE REQUIRED 60'.

Ref No  
1

REVISIONS	
NO.	DATE DESCRIPTION

**SPELLMAN, LARSON & ASSOCIATES, INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS  
SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204  
PHONE 823-3535

**OWNER/DEVELOPER**  
**MARK & DARLENE DUNN**  
607 McHENRY ROAD  
BALTIMORE, MARYLAND 21208

**PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE**  
**#1801 PARSONAGE ROAD**  
**'OAKS OF PARSONAGE'**  
**69196**

6th ELECTION DISTRICT BALTIMORE COUNTY, MD.  
SCALE: 1"=600' DES. BY: SMT. 1 OF 1  
DATE: 6-12-92 DRN. BY: J.M.S.

92093 534

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
S/S Parsonage Road, SWC of Parsonage Oak Court  
1801 Parsonage Road  
6th Election District  
3rd Councilmanic District  
Mark M. Dunn, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-501-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 47.5 ft., in lieu of the required 50 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information,

photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of July, 1992 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 47.5 ft., in lieu of the required 50 ft. in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk and that the relief granted herein is subject to the condition that if the Petitioners fail to return the property to its original condition, the Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 7/29/92  
By J. H. Smith

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 29, 1992

Mr. and Mrs. Mark M. Dunn  
607 McHenry Road  
Baltimore, Maryland 21208

RE: Petition for Residential Zoning Variance  
Case No. 92-501A  
Mark M. Dunn and Darlene M. Dunn, Petitioners

Dear Mr. and Mrs. Dunn:

Enclosed please find the decision rendered in the above captioned case. The Baltimore County Zoning Regulations have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmn  
encl.  
cc: Mr. Mike Barranger, Spellman and Larson

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-501-A

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1A04.3.B.3 to allow a front yard setback of 47.5 feet in lieu of the required 50 feet

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hereby or present affidavit)

An as built location survey of foundation revealed slight encroachment into required setback.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

NA

(Type or print name)

NA

(Signature)

NA

(Type or print name)

NA

(Signature)

NA

(Type or print name)

NA

(Signature)

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NA

AFFIDAVIT  
IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) believe that the information herein is true and correct to the best of his/her/their knowledge and belief.

1801 PARSONAGE RD  
RAYVILLE MD 21120

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hereby or present affidavit)

An as built location survey of foundation revealed slight encroachment into required setback.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

That the Affiant(s) do(es) believe that the information herein is true and correct to the best of his/her/their knowledge and belief.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 23 day of JUNE, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK & DARLENE DUNN

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96

Notary Public

My Commission Expires: 7-1-96



SPELLMAN, LARSON  
& ASSOCIATES, INC.

SUITE 109 - JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
TEL 823-3535  
FAX 825-5215

92-501-A

DESCRIPTION FOR A VARIANCE TO ZONING, 1801 PARSONAGE ROAD,

6TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the southeast side of Parsonage Road at the fillet connecting the southeast side of Parsonage Road with the southwest side of Parsonage Oak Court and running thence and binding on said fillet south 65 Degrees 37 Minutes 00 Seconds east 21.87 feet to the southwest side of Parsonage Oak Court and running thence and binding on the southwest side of Parsonage Oak Court southeasterly by curve to the left with the radius of 295.0 feet the distance of 83.26 feet, south 40 Degrees 04 Minutes 00 Seconds east 55.04 feet and southeasterly by curve to the right with the radius of 330.0 feet the distance of 154.74 feet thence leaving the southwest side of Parsonage Oak Court and running north 89 Degrees 07 Minutes 43 Seconds west 450.17 feet to the southeast side of Parsonage Road herein referred to and running thence and binding on the southwest

ROBERT E. SPELLMAN, P.L.S.  
JOSEPH L. LARSON  
ERIC D. FRANK  
JO ANN W. ROGGE



SPELLMAN, LARSON  
& ASSOCIATES, INC.

SUITE 109 - JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
TEL 823-3535  
FAX 825-5215

92-501-A

DESCRIPTION FOR A VARIANCE TO ZONING, 1801 PARSONAGE ROAD,

6TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

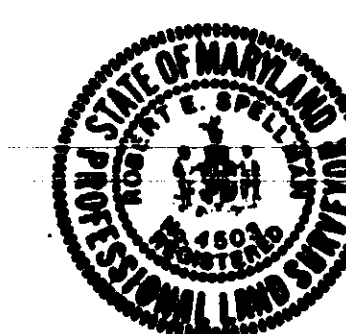
Page: 2

side of Parsonage Road north 35 Degrees 10 Minutes 37 Seconds east 97.98 feet and northeasterly by curve to the right with a radius of 470.0 feet the distance of 287.99 feet to the place of beginning.

Containing 1.602 acres of land, more or less

Being Lot No 11 as shown on a Plat of Oaks of Parsonage said Plat being recorded among the Plat Records of Baltimore County in Plat Book 8M No 59, Folio 36.

06/15/92



ROBERT E. SPELLMAN, P.L.S.  
JOSEPH L. LARSON  
ERIC D. FRANK  
JO ANN W. ROGGE

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date

6/24/92

Account: R-001-6180  
Number

PUBLIC HEARING FEES

010 - ZONING VARIANCE (FEE)

080 - POSTING SIGNS / ADVERTISING

LAST NAME OF OWNER: DUNN

PRICE

\$50.00

\$35.00

TOTAL: \$85.00

Cashier Validation

Please Make Check payable to Baltimore County \$85.00  
BA 000128P06-24-92

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING  
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING  
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

534

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING  
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING  
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

534



Mr. & Mrs. Mark M. Dunn  
607 McHenry Road  
Baltimore, MD 21208

RE: Item No. 534, Case No. 92-501-A  
Petitioner: Mark M. Dunn, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. Dunn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this  
24th day of June, 1992

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:

*W. Carl Richards Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Mark M. Dunn, et ux

Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)  
Development Review Committee Response Form  
Authorized signature *Thomas W. Kennedy* Date 7/13/92

File Number	Waiver Number	Zoning Issue	Meeting Date
Stonegate at Patapsco (Aerial Property)			
90476	TE (Waiting for developer to submit plans first)		6-1-92
COUNT 1			
Baltimore County - Southwestern Bell Mobile Systems			
DED	STP	533	6-29-92
COUNT 1			
✓	Ralph P. And Dianne L. Stern And Karen And Linda Forrester	528	7-6-92 NC
DED DEPRM RP STP TE			
✓	Mark M. Dunn And Darlene Dunn	534	NC
DED DEPRM RP STP TE			
✓	Philip E. English And Deborah B. English	535	NC
DED DEPRM RP STP TE			
✓	Clark F. And Ann S. MacKenzie	536	NC
DED DEPRM RP STP TE			
✓	Charles J. And E. Mae Sinay	537	NC
DED DEPRM RP STP TE			
✓	Amoco Oil Company	538	NC
DED DEPRM RP STP TE			
✓	John And Judy Hasler	539	NC
DED DEPRM RP STP TE			
✓	Paul J. And Marlene A. Leono	540	NC
DED DEPRM RP STP TE			
✓	W. Claymore And Carol H. Sieck	541	NC
DED DEPRM RP STP TE			

BALTIMORE COUNTY, MARYLAND  
OFFICE OF PLANNING AND ZONING  
New Courts Building  
401 Bosley Avenue  
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: July 7, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - July 6, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Mark M. Dunn - Item 534  
Clark F. MacKenzie - Item 536  
John Hasler - Item 539  
W. Claymore Sieck - Item 541

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

7.06.92.txt  
Petitns.txt

RECEIVED  
JUL 14 1992  
ZONING OFFICE

DPW/Traffic Engineering  
Development Review Committee Response Form  
Authorized signature *Frank J. Fank* Date 7/10/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Stonegate at Patapsco (Aerial Property)			
90476	TE (Waiting for developer to submit plans first)		6-1-92
COUNT 1			
✓	Ralph P. And Dianne L. Stern And Karen And Linda Forrester	528	N/C 7-6-92
DED DEPRM RP STP TE			
✓	Mark M. Dunn And Darlene Dunn	534	N/C
DED DEPRM RP STP TE			
✓	Philip E. English And Deborah B. English	535	N/C
DED DEPRM RP STP TE			
✓	Clark F. And Ann S. MacKenzie	536	N/C
DED DEPRM RP STP TE			
✓	Charles J. And E. Mae Sinay	537	N/C
DED DEPRM RP STP TE			
✓	Amoco Oil Company	538	N/C
DED DEPRM RP STP TE			
✓	John And Judy Hasler	539	N/C
DED DEPRM RP STP TE			
✓	Paul J. And Marlene A. Leono	540	N/C
DED DEPRM RP STP TE			
✓	W. Claymore And Carol H. Sieck	541	N/C
DED DEPRM RP STP TE			
COUNT 9			
FINAL TOTALS			
COUNT 10			

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature *Thomas W. Kennedy* Date 7-13-92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Joan R. McMahon			
DEPRM	FRS-1		6-22-92 in process
BBC Associates			
DEPRM	511		Written comments
Frederick J. And Michelle Y. Burgesen			
DEPRM	517		in process
COUNT 3			
Charles M. and Virginia H. Loane			
DEPRM	524		6-29-92 in process
Francis D. and Patricia M. Mull			
DEPRM	526		in process
RMS Nominee, Inc.			
DEPRM	527		in process
Juanita L. Cottrell			
DEPRM	529		in process
The Middle River Baptist Church			
DEPRM	530		in process
COUNT 5			
Ralph P. And Dianne L. Stern And Karen And Linda Forrester			
DED DEPRM RP STP TE	528		7-6-92 in process
✓	Mark M. Dunn And Darlene Dunn	534	No comments
DED DEPRM RP STP TE			
✓	Philip E. English And Deborah B. English	535	in process
DED DEPRM RP STP TE			

Baltimore County Government  
Fire Department  
700 East Joppa Road Suite 901  
Towson, MD 21204-5500  
JULY 13, 1992 (410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: MARK M. DUNN AND DARLENE M. DUNN  
Location: #1801 PARSONAGE ROAD  
Item No.: \*534 (LJG) Zoning Agenda: JULY 6, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John J. Duff* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

RECEIVED  
JUL 14 1992  
ZONING OFFICE

Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature *John J. Duff* Date 7/14/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Stonegate at Patapsco (Aerial Property)			
90476	TE (Waiting for developer to submit plans first)		6-1-92
COUNT 1			
✓	Ralph P. And Dianne L. Stern And Karen And Linda Forrester	528	7-6-92 No Comments
DED DEPRM RP STP TE			
✓	Mark M. Dunn And Darlene Dunn	534	No Comments
DED DEPRM RP STP TE			
✓	Philip E. English And Deborah B. English	535	No Comments
DED DEPRM RP STP TE			
✓	Clark F. And Ann S. MacKenzie	536	No Comments
DED DEPRM RP STP TE			
✓	Charles J. And E. Mae Sinay	537	No Comments
DED DEPRM RP STP TE			
✓	Amoco Oil Company	538	No Comments
DED DEPRM RP STP TE			
✓	John And Judy Hasler	539	No Comments
DED DEPRM RP STP TE			
✓	Paul J. And Marlene A. Leono	540	No Comments
DED DEPRM RP STP TE			
✓	W. Claymore And Carol H. Sieck	541	No Comments
DED DEPRM RP STP TE			
COUNT 9			
FINAL TOTALS			
COUNT 9			
*** END OF REPORT ***			



111 West Chesapeake Avenue  
Towson, MD 21204

July 1, 1992

(410) 887-3353

Mark and Darlene Dunn  
607 McHenry Road  
Baltimore, Maryland 21208

Re: CASE NUMBER: 92-501-A  
LOCATION: S/S Parsonage Road, SAC Parsonage Oak Court  
1801 Parsonage Road  
6th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a referee regarding the administrative process.

1) Your property will be posted on or before July 12, 1992. The closing date is July 27, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

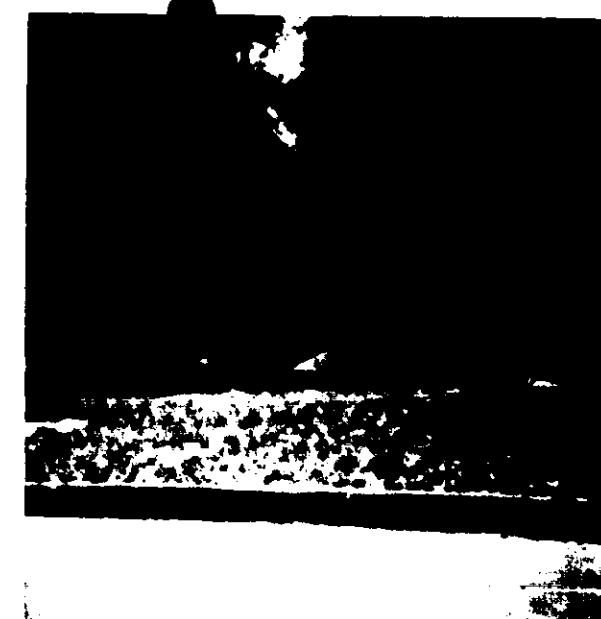
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

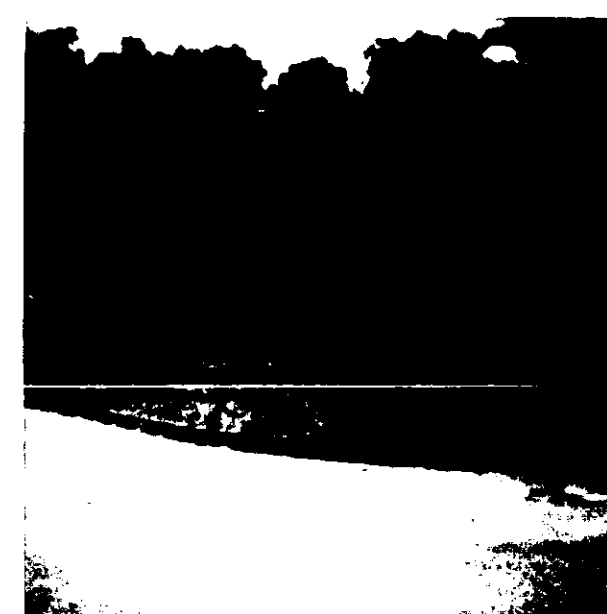
*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner, Baltimore County



A



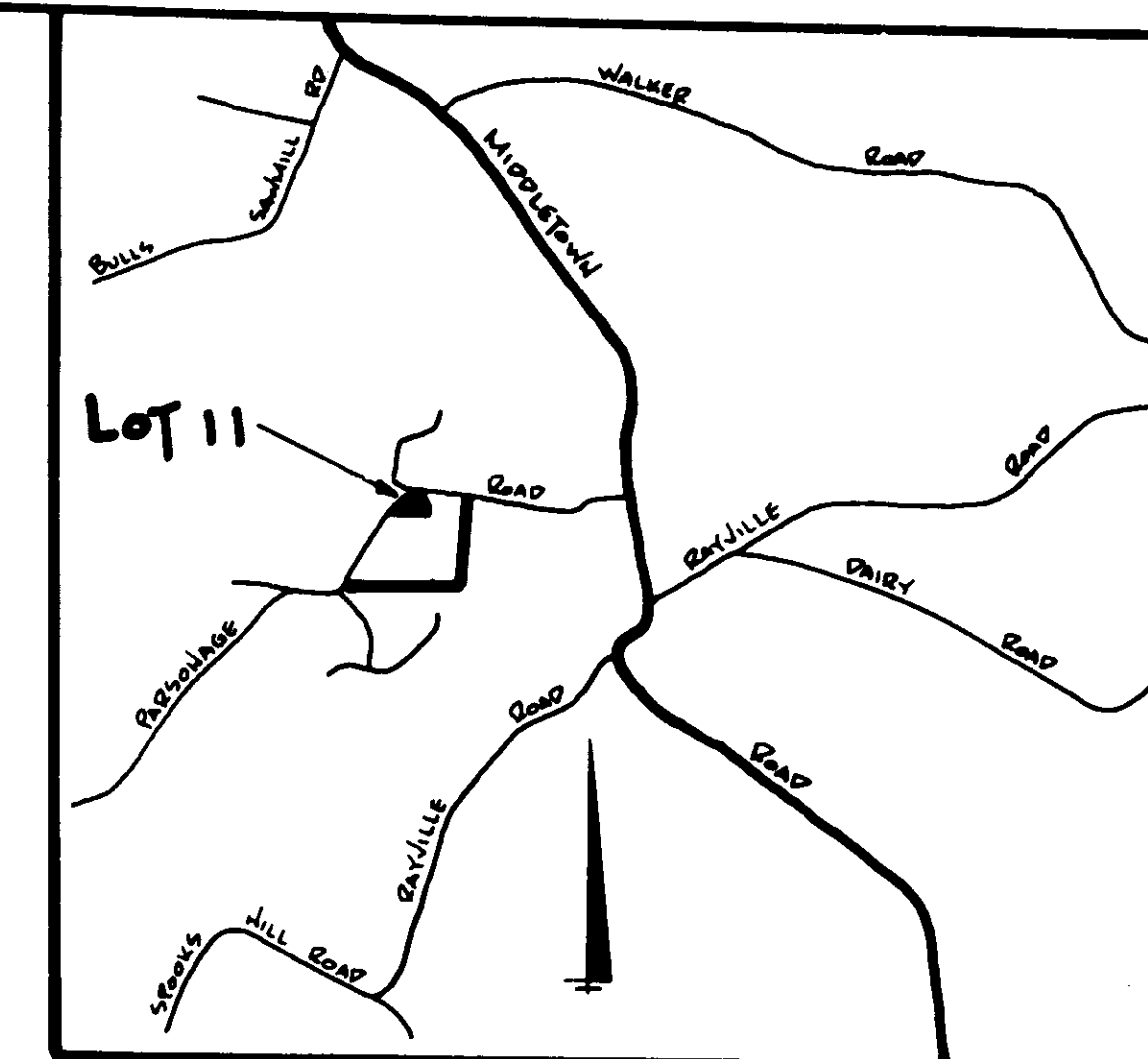
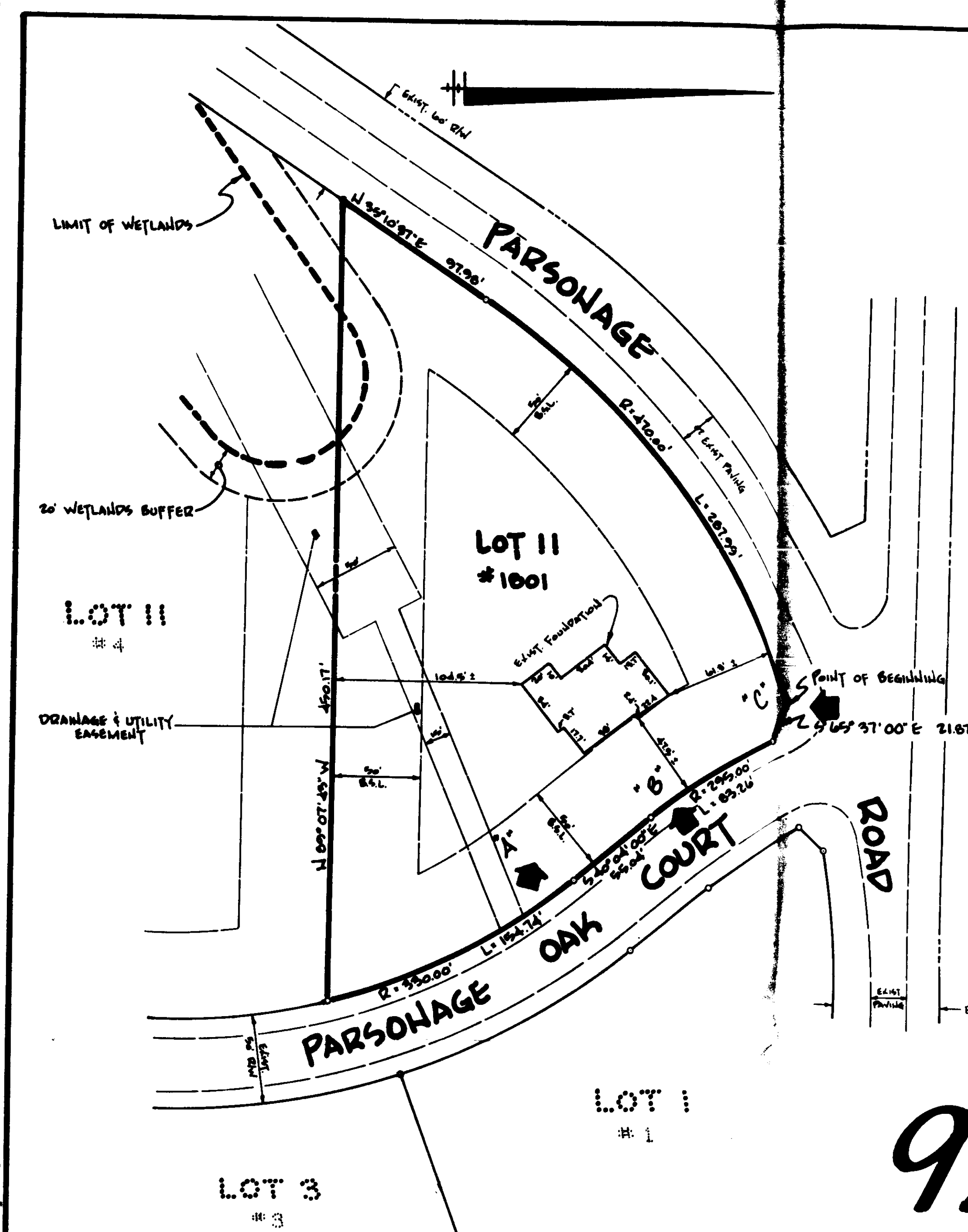
B



C

92-501-A

534



LOCATION MAP  
SCALE: 1"=2,000'

# SITE DATA:

1. COUNCILMANIC DISTRICT: 3
2. ZONING: R.C. 9
3. LOT SIZE: 1.102 AC.
4. SUBDIVISION: OAKS OF PARSONAGE
5. TAX ACCOUNT NO: 2100006995
6. WATER & SEWER: PRIVATE WELL & SEPTIC SYSTEM
7. THIS PROPERTY HAS NOT BEEN THE SUBJECT OF ANY PRIOR ZONING HEARINGS
8. ZONING MAP: 11/1/88

92-501-A

## ZONING VARIANCE

THE REASON FOR THIS VARIANCE IS TO ALLOW A FRONT-YARD SETBACK OF 47' IN LIEU OF THE REQUIRED 60'.

Ref No  
1

REVISIONS	
NO.	DESCRIPTION

**SPELLMAN, LARSON & ASSOCIATES, INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS  
SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204  
PHONE 823-3535

**OWNER/DEVELOPER**  
**MARK & DARLENE DUNN**  
607 MCHENRY ROAD  
BALTIMORE, MARYLAND 21208

**PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE**  
**#1801 PARSONAGE ROAD**  
**'OAKS OF PARSONAGE'**  
**69196**

6th ELECTION DISTRICT BALTIMORE COUNTY, MD.  
SCALE: 1"=600' DES. BY: SMT. 1 OF 1  
DATE: 6-12-92 DRN. BY: J.M.S.

92093 534